



Even assuming that the racial composition of FWE's workforce were relevant to Plaintiff's claims, any probative value of such statistical evidence could be outweighed substantially by the opportunity of unfair prejudice, confusion of the issues, or the misleading of the jury. Therefore, even if FWE's racial composition is deemed relevant to the Plaintiff's causes of action, such evidence should be excluded pursuant to Rule 403.

Defendant submits an accompanying Memorandum of Law in Support. Based upon its Motion and the Memorandum in Support, Defendant respectfully requests that this Court issue its order based on Rules 402 and 403 of the Federal Rules of Evidence, precluding Plaintiff from introducing evidence of the racial composition of FWE's workforce at trial.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Motion in Limine (Racial Composition of Food Warming Equipment, Inc.) was served upon the following counsel via the Court's ECF Filing System on the 22nd day of May, 2017.

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